

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**Edward Butowsky,**

Plaintiff,

v.

**Michael Gottlieb, et al.,**

Defendants

**Case No. 4:19-cv-00180-ALM-kpj**

**NOTICE**

NOW COMES Edward Butowsky, the Plaintiff, notifying the Court as follows:

Plaintiff's Counsel wishes to clarify something in the July 23, 2019 MOTION TO STRIKE (Doc. No. 87) that he filed on behalf of Mr. Butowsky. The New York case that he referenced in the motion was dismissed for failure to state a claim, and that is why it is on appeal. *See* OPENING BRIEF OF APPELLANT TY CLEVINGER, *Ty Clevenger v. Dean Yuzek, et al.*, Case No 2018-09977, New York Supreme Court 2nd Appellate Division (<http://lawflog.com/wp-content/uploads/2019/07/2019.03.29-Appeal-Brief-merged.pdf>).

Plaintiff's Counsel did not address one of the cases in the July 11, 2019 OPPOSITION TO PLAINTIFF'S MOTION FOR EXTENSION OF TIME TO FILE RESPONSE BRIEF (Doc. No. 60), namely *Hughes v. Twenty-First Century Fox, Inc.*, No. 17-cv-7093, at 2 (S.D.N.Y. June 25, 2018), but he will address that if the Court wishes. The Plaintiff hopes, however, that the parties can dispense with further discussion of these extraneous matters and focus on the case before the Court.

Respectfully submitted,

/s/ Ty Clevenger

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**Attorney for Plaintiff Edward Butowsky**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document was filed electronically with the Court's ECF system on July 29, 2019, which should result in automatic notification to all counsel of record.

/s/ Ty Clevenger

Ty Clevenger